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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/826,673

04/16/2004

Larry James Wood

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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT

PAPER NUMBER

2179

MAIL DATE

DELIVERY MODE

05/21/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/826,673

Applicant(s)

WOOD ET AL.

Examiner

X. L. Bautista

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/18/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 2, 7-9, 11, 12, 14, 15, 20-22, 24, 25, 27, 28, 33-35, 37 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by *Merissert-Coffinieres et al* (US 2006/0075070 A1).**

#### Claims 1 and 27:

Merissert discloses a method of providing a graphical user interface (GUI) to a user in a client-server environment (abstract; p. 2, par. 0019). Merissert teaches a client application receiving commands from a server application, the commands dictating a GUI implementation to be displayed to an end-user (p. 2, par. 0030, 0031), the GUI implementation revealed to the client application at runtime (p. 3, par. 0035, 0037-0042); and the client application returning events to the server application, the events indicating state change in the client application (p. 4, par. 0051; p. 9, claim 3).

Claims 2, 15 and 28:

See claim 1. Merisassert teaches a server application and client application communicating with each other without being bound through linking (p. 2, par. 0030, 0031).

Claims 7-9, 20-22 and 33-35:

Merisassert teaches a server runtime based on Java servlet that provides part of the server side functionality. Merisassert teaches a communication link 117 that may be an Internet connection based on the HTTP protocol (p. 3, par. 0036). Merisassert explains that the client runtime send requests to the server using the available communication link and protocol 117; the server processes the request, constructs a preprocessed XML form that is passed to the client device; the client runtime processes the XML form and generates the corresponding User Interface on the device's display (p. 3, par. 0037).

Claims 11, 12, 24, 25, 37 and 38:

Merisassert teaches defining the platforms on which the application will run; the platforms may be characterized by the client device environment and the involved servers (p. 7, par. 0147; p. 8, par. 0158).

Claim 14:

See claim 1. Merisassert teaches a computer program product embodied in a computer readable medium (abstract; p. 2, par. 0019; p. 9, claim 1).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 3, 4, 10, 16, 17, 23, 29, 30 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Merissert* and *Cortright et al* (US 6,895,426 B1).**

Claims 3, 10, 16, 23, 29 and 36:

Merissert does not teach displaying a list of selectable server applications and presenting a set of interface elements to allow the user to communicate with the server application. However, Cortright discloses a system and method for allowing a user to treat email addresses in a message preview pane as objects. Cortright teaches that the system may check an email address that has been marked with the address icon against one or more server databases to see if the address matches a contact entry in the server. If the parsed address is found the address icon is changed to a server icon. Cortright explains that the system determines if there is currently a network connection. If there is not network connection, the system changes the address icon to a "need more information" icon; and if there is a network connection, the system will initiate a search immediately.

Cortright teaches that the system checks a default server for email address and the address icon is animated during the search to show network activity; if no match can be found on the default server, the system will check other available servers; if not match is found on any server contact list, then the address is marked with a caution icon; and if a unique match is found on the server, the text is marked with a server icon (col. 8, lines 14-43). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to modify Merissert's invention to include Cortright's teaching of presenting the user with a list of server application having logon details and displaying interface elements to allow the user to communicate with the server application because the user is enabled to select objects and retrieve an application or a desired object from a specified server.

Claims 4, 17 and 30:

See claim 3. Merissert and Cortright teach connecting to a default server application (col. 8, lines 14-43).

5. **Claim 5, 6, 18, 19, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Merissert and Abel et al* (US 2003/0084401 A1).**

Claims 5, 18 and 31:

See claim 1. Merissert does not teach compiling resources into binary form and storing them in a dynamic linked library for runtime efficiency. However, Abel

discloses a system and method for creating a web page to reflect local characteristics. Abel teaches dynamic translation for generating a web page on the fly; dynamic translation comprising criteria-based insertions or substitutions of property values at runtime (abstract; page 1, par 0004). Abel teaches generation of compiled resource files stored in a dynamic linked library (DLL), (p. 3, par. 0033). Abel teaches server pages that can be downloaded from the server into the client (p. 5, par. 0043). Thus, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to include Abel's teachings in Merissert's invention because storing compiled resources in a DLL because DLLs can contain code, data and resources in any combination which permits saving disk space and memory required for application by storing it locally on the client's hard drive. DLL also provides modularity, which allows the use of generic interface for plug-ins and developing an interface that allows old and new modules to be integrated at runtime into pre-existing applications.

Claims 6, 19 and 32:

See claim 5. Abel teaches that during rendering of a web page property values are applied to each instance of a control type in a web page; the property values are obtained from a cached resource file (abstract; p. 1, par. 0009; p. 2, par. 0013; p. 7, par. 0058).

6. **Claim 13, 26 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Merissert* and *Barry et al* (US 2005/0216421 A1).**

Claims 13, 26 and 39:

Merissert does not teach that the client can connect simultaneously to a plurality of server applications. However, Barry discloses client that can connect to a plurality of servers (fig. 10; p. 16, par. 0217, 0222). Barry teaches that the browser is configured to allow more than one network connection simultaneously (p. 17, par. 0226). Thus, it would have been obvious to one ordinarily skilled in the art at the time of invention to include Barry's teaching in Merissert's invention because, as Barry says, the system provides the user with an interface for enabling the user to obtain various types of data from different back-end telecommunications service and applications at a single point of customer contact; the system provides a measure of platform independence for the user.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

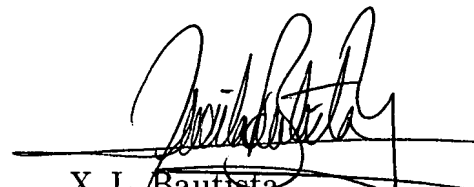
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-



6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



X. L. Bautista  
Primary Examiner  
Art Unit 2179

xlb  
May 11, 2007